

Remarks

Entry of the amendments, reconsideration of the application, as amended, and allowance of all pending claims are respectfully requested. Claims 1, 5-10, 14-18, 20 and 24-28 remain pending.

With the above amendments, applicants are clarifying one or more aspects of their invention. Applicants respectfully submit that these amendments are being provided in a bona fide attempt to further prosecution of this application and not in acquiescence to the rejections. Support for the amendments may be found throughout applicants' specification, including, for instance, paragraphs 18-20 and 33-35, and therefore, no new matter is added.

Applicants gratefully acknowledge the time afforded applicants' attorney, Blanche Schiller, during a telephonic interview with Examiner Truong on February 23, 2010, in which the amendment to claim 1 was discussed. During that telephone conference, Examiner Truong agreed that the cited references did not teach that aspect of applicants' invention. However, Examiner Truong did indicate that a new search would be performed.

In the Final Office Action, dated November 24, 2009, claims 1, 5-10, 14-18, 20 and 24-28 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ota et al. (U.S. Patent No. 7,162,671) in view of Michaelis (U.S. Patent No. 7,519,800). Applicants respectfully, but most strenuously, traverse this rejection to any extent deemed applicable to the amended claims.

In one aspect of applicants' claimed invention, applicants recite that the resource manager determines using the obtained one or more attributes that specify one or more non-native architectures supported by the node whether the node supports an architecture capable of executing a specific request. Applicants respectfully submit that this feature is not described, taught or suggested by Ota or Michaelis, either alone or in combination. It is explicitly admitted in the Office Action that Ota fails to teach one or more aspects of applicants' claimed invention, and therefore, Michaelis is relied upon. However, Michaelis does not overcome the deficiencies of Ota.

As with Ota, Michaelis fails to describe, teach or suggest at least applicants' claimed element of determining by the resource manager using the obtained one or more attributes that specify one or more non-native architectures supported by the node whether the node supports an architecture capable of executing a specific request. In Michaelis, cells of the same type are grouped together. There is no discussion, however, of obtaining attributes that specify non-native architectures supported by a node and then using that information to determine whether a node supports an architecture capable of executing a specific request. Since both Ota and Michaelis fail to describe, teach or suggest at least this aspect of applicants' claimed invention, applicants respectfully submit that their invention is patentable over the combination of Ota and Michaelis. Therefore, applicants respectfully request an indication of allowability for independent claim 1.

Further, independent claim 10 is patentable for similar reasons as described above. For instance, applicants respectfully submit that the combination of Ota and Michaelis fails to describe, teach or suggest at least applicants' claimed element of determining by the resource manager using the obtained one or more attributes that specify one or more non-native architectures supported by the node whether the node supports an architecture capable of executing a specific request. Thus, applicants respectfully request an indication of allowability for independent claim 10.

Moreover, independent claim 20 is also patentable over the combination of Ota and Michaelis. Applicants respectfully submit that the combination fails to describe, teach or suggest at least applicants' claimed element of determining by the resource manager using the obtained one or more attributes that specify one or more non-native architectures supported by the node whether the node supports an architecture capable of executing a specific request. Thus, applicants respectfully request an indication of allowability for independent claim 20.

The dependent claims are allowable for the same reasons as the independent claims, as well as for their own additional features.

Based on the foregoing, applicants respectfully request an indication of allowability for all pending claims.

Respectfully submitted,

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